

### STATEMENT OF SUBSTANCE OF INTERVIEW

Initially, Applicant wishes to thank the Examiner for conducting a telephonic interview with Applicant's representative, Patrick Reed, on July 10, 2008. Applicant wishes to thank the Examiner for his time and consideration.

During the interview, the Examiner and Applicant's representative discussed the differences in the Boivic reference with respect to the claims.

For example, Boivic does not discuss dividing a media data file into constituent portions, where the constituent portions may be as discrete as data bytes, and ranking the popularity of each discrete constituent portion to determine which of the portions to make copies of. For example, a data segment may be divided into 100 smaller portions, and for a particular reason the 35<sup>th</sup> through 41<sup>st</sup> portions are quite popular, and the 72<sup>nd</sup> through 83<sup>rd</sup> portions are not very popular at all. In this example, many copies would be made of the 35<sup>th</sup> through 41<sup>st</sup> portions, and few or no copies would be made of the 72<sup>nd</sup> through 83<sup>rd</sup> portions, based on the relative popularity ranking of the portions.

Proposed claim amendments for clarification were also discussed during the interview. Applicant's representative understands the Examiner to tentatively agree that the claims, amended for clarification as discussed during the interview, would be allowable over at least the references cited, subject to further search.

Accordingly, without conceding the propriety of the rejections and in the interest of expediting allowance of the application, Applicant herein amends claims 7 and 34 for clarification as discussed during the interview.

Claims 7-13, 15, 34-36, and 38 are believed to be allowable for at least these reasons.